

# LIST OF AMENDMENTS TO THE CALIFORNIA RULES OF COURT AND STANDARDS OF JUDICIAL ADMINISTRATION

Adopted by the Judicial Council of California

Effective March 1, 2003

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## Rule 6.170 Working Group on Court Security

- (a) ~~[Composition and p~~**Purpose**~~]~~ The Judicial Council hereby establishes the Working Group on Court Security. ~~As provided in Government Code section 69927(a)(1), the group shall consist of six representatives from the judicial branch of government, as selected by the Administrative Director of the Courts, two representatives of the counties, as selected by the California State Association of Counties, and three representatives of the county sheriffs, as selected by the California State Sheriffs' Association. The working group may recommend modifications only to the template used to determine that the security costs submitted by the courts to the Administrative Office of the Courts are permitted pursuant to Article 8.5 of Chapter 5 of Title 8 of the Government Code. The template shall be a part of the trial court's financial policies and procedures manual and used in place of the definition of law enforcement costs in Function 8 of Rule 810 of the California Rules of Court. The purpose of the working group is to consider whether modifications are necessary and appropriate to the template which determines security costs, pursuant to Government Code section 69927(a)(1) ("template review") and to recommend changes to the limit for allowable costs, as set forth in Government Code section 69927(a)(4) ("allowable costs review"). Template review may involve, among other items, that part of the template affecting law enforcement or security personnel in courtrooms or court detention facilities ("personnel template review").~~

*(Subd (a) amended effective March 1, 2003; adopted January 1, 2003.)*

- (b) ~~[Security personnel]~~ If the working group determines that there is a need to make recommendations to the template that specifically involve law enforcement or security personnel in courtrooms or court detention facilities,

~~the membership of the working group shall change and consist of six representatives from the judicial branch of government selected by the Administrative Director of the Courts, two representatives of the counties selected by the California State Association of Counties, two representatives of the county sheriffs selected by the California State Sheriffs' Association, and two representatives of labor selected by the California Coalition of Law Enforcement Associations.~~

*(Subd (b) repealed March 1, 2003; adopted effective January 1, 2003.)*

**(b) [Composition]**

(1) Composition for allowable costs review and template review, except personnel template review. In performing allowable costs review and template review, except personnel template review, the group shall be composed as follows:

(A) Six representatives from the judicial branch of government, as selected by the Administrative Director of the Courts;

(B) Two representatives of the counties, as selected by the California State Association of Counties; and

(C) Three representatives of the county sheriffs, as selected by the California State Sheriffs' Association.

(2) Composition for personnel template review. In performing personnel template review, the group shall be composed as follows:

(A) The six representatives from the judicial branch of government selected by the Administrative Director of the Courts, under subdivision (b)(1)(A);

(B) The two representatives of the counties selected by the California State Association of Counties, under subdivision (b)(1)(B);

(C) Two of the three representatives of the county sheriffs selected by the California State Sheriffs' Association under subdivision (b)(1)(C) as determined by that association; and

(D) Two representatives of labor selected by the California Coalition of Law Enforcement Associations.

*(Subd (b) adopted effective March 1, 2003.)*

**(c)—(e) \* \* \***

*Rule 6.170 amended effective March 1, 2003; adopted January 1, 2003.*

#### **Judicial Council Comment**

~~Subdivision (b) of the rule refers to a change in composition of the committee for reasons stated in that subdivision. The council interprets Government Code section 69927 to require the working group membership specified in subdivision (b) only when the working group is discussing the issues stated in that subdivision and the working group membership specified in subdivision (a) when the working group is discussing all other issues.~~

### **Rule 6.661. Regional Court Interpreter Employment Relations Committees**

**(a) [Creation]** Government Code sections 71807–71809 establish four Regional Court Interpreter Employment Relations Committees. Each committee has the authority, for spoken language court interpreters within its region as defined under Government Code section 71807 (a), to:

- (1) Set the terms and conditions of employment for court interpreters, subject to meet and confer in good faith, as authorized by Government Code section 71808;
- (2) Adopt reasonable rules and regulations for the administration of employer-employee relations with recognized employee organizations, as authorized by Government Code section 71823 (a); and
- (3) Act as the representative of the superior courts within the region in bargaining with a recognized employee organization as authorized by Government Code section 71809.

**(b) [Membership]**

- (1) Before September 15, 2003, each Regional Court Interpreter Employment Relations Committee consists of one representative from each superior court that has at least one interpreter eligible to apply for a position as a court interpreter pro tempore under Government Code section 71802.
- (2) After September 15, 2003, each Regional Court Interpreter Employment committee consists of one representative from each superior court that has

at least one interpreter employed as a court interpreter pro tempore as defined by Government Code section 71805.

(3) The following regions are established by Government Code section 71807:

(A) Region 1: Los Angeles, Santa Barbara, and San Luis Obispo Counties.

(B) Region 2: Counties of the First and Sixth Appellate Districts, except Solano County.

(C) Region 3: Counties of the Third and Fifth Appellate Districts.

(D) Region 4: Counties of the Fourth Appellate Districts.

(4) The Court Executive Officer of each superior court may appoint the court's representative, under rule 6.610, which authorizes the Court Executive Officer, acting under the direction of the Presiding Judge, to oversee the management and administration of the non-judicial operations of the court.

(5) Each Regional Court Interpreter Employment Relations Committee may appoint a Chief Negotiator to bargain with recognized employee organizations. The Chief Negotiator may be staff of the Administrative Office of the Courts.

(6) Any superior court that is not entitled to appoint a representative under this rule, including the superior courts of Ventura and Solano counties, may appoint an advisory member to the committee for its region.

(c) **[Rules of procedure]** Each Regional Court Interpreter Employment Relations Committee may adopt its own rules of procedure, including the procedure for selecting its chair, advisory members, and chief negotiator.

(d) **[Voting]**

(1) Before September 15, 2003, each representative of a superior court has a number of votes equal to the number of interpreters eligible to apply for positions as court interpreter pro tempore in that trial court as defined by Government Code section 71804.

- (2) After September 15, 2003, each representative of a superior court has a number of votes equal to the number of court interpreter pro tempore employees in that trial court as defined by Government Code section 71804.
- (3) On July 1, 2004, and annually thereafter each Regional Court Interpreter Employment Relations Committee must recalculate the number of votes of each representative of a superior court to equal the number of court interpreter pro tempore employees in that court.
- (e) [Administrative Office of the Courts] The staff of the Administrative Office of the Courts will assist each Regional Court Interpreter Employment Relations Committee in performing its functions.

*Rule 6.661 adopted effective March 1, 2003.*

#### **Rule 6.662. Cross-Assignments for Court Interpreter Employees**

- (a) [Purpose] The purpose of this rule is to implement a process for cross-assignment of a court interpreter employed by a superior court pursuant to Government Code section 71810 (b).
- (b) [Definitions] As used in this rule:
  - (1) (Home court) “Home court” means the superior court in which the court interpreter is an employee. An employee’s home court includes all locations of a superior court within a county.
  - (2) (Away court) “Away court” means the superior court in which the court interpreter is temporarily cross-assigned.
  - (3) (Cross assignment) “Cross assignment” means any assignment to perform spoken language interpretation for a superior court other than the interpreter’s home court.
  - (4) (Regional court interpreter coordinator) “Regional court interpreter coordinator” means an employee of the Administrative Office of the Courts whose duty it is to locate, assign, and schedule available court interpreter employees for courts within and across regions, which are described under Government Code section 71807(a).

- (5) (Local court interpreter coordinator) “Local court interpreter coordinator” means an employee of a superior court whose duty is to locate, assign, and schedule available court interpreter employees for his or her court.

**(c) [Procedure for cross-assignments]**

- (1) Under Government Code section 71804.5 (b) a court interpreter employed by a superior court is not permitted to be an employee of more than one superior court. A court interpreter employed by a superior court may not contract with another court, but may accept appointments to provide services to more than one court through cross-assignments.
- (2) A superior court may attempt to fill an interpreting assignment with the employee of another court before hiring an independent contract court interpreter.
- (3) If a superior court wants to fill an interpreting assignment with the employee of another court, the court must notify the regional court interpreter coordinator to locate an employee of a court within or across regions.
- (4) Each local court interpreter coordinator must provide the schedule of each court interpreter employee available for cross-assignment to the regional court interpreter coordinator.
- (5) A superior court may adopt additional internal procedures for cross-assigning a court interpreter employee that are not inconsistent with Government Code section 71810 and this rule.
- (6) A regional court interpreter employment relations committee may approve alternative procedures for cross-assigning a court interpreter employee that permit the interpreter to directly arrange cross-assignments with an “away” court, provided that the procedures require notice to the regional coordinator.

- (d) [Payment for cross assignments]** The home court must issue payment to the court interpreter for all cross-assignments, including, but not limited to, per diem compensation and mileage reimbursement. The Administrative Office of the Courts will administer funding to the home court for payments associated to cross-assignments.

(e) **[Duties of a court interpreter on cross-assignment]** A court interpreter who accepts a cross-assignment is responsible for following the personnel rules of the home court while performing services for the away court.

(f) **[Superior Courts of California, Counties of Ventura and Solano]** The Superior Courts of Ventura and Solano may participate in the procedure for cross-assignments as follows:

- (1) The Superior Court of California, County of Ventura may accept or provide interpreters on cross-assignment under the procedures established in Region 1, as defined by Government Code section 71807
- (2) The Superior Court of California, County of Solano may accept or provide interpreters on cross-assignment under the procedures established in Region 2, as defined by Government Code section 71807.

*Rule 6.662 adopted effective March 1, 2003.*

**Rule 984.3. Reports on appointments of certified and registered interpreters and noncertified and nonregistered interpreters in courts**

Each superior court ~~shall~~ must report to the Judicial Council on:

- (1) the appointment of certified and registered interpreters under Government Code section 71802, as required by the Administrative Office of the Courts; and
- (2) the appointment of noncertified interpreters of languages designated under Government Code section 68562(a), and registered and nonregistered interpreters of nondesignated languages, ~~as required by the Semi-annual Report to the Judicial Council on the Use of Noncertified Interpreters (forms INT-1 and INT-2).~~

*Rule 984.3 amended effective March 1, 2003; adopted January 1, 1996.*